



PATENT  
Customer No. 22,852  
Attorney Docket No. 09423.0042-02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Michael GRASSO III, et al. ) Group Art Unit: 3739  
 )  
Application No.: 10/801,128 ) Examiner: Unknown  
 )  
Filed: March 16, 2004 )  
 )  
For: LASER LITHOTRIPSY DEVICE )  
WITH SUCTION )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted in prior applications, application no. 09/507,029, filed February 18, 2000, and application no. 10/099,481, filed March 15, 2002, upon which applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached 1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

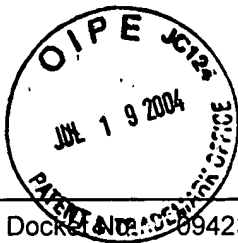
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
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By: 

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Reg. No.: 41,450

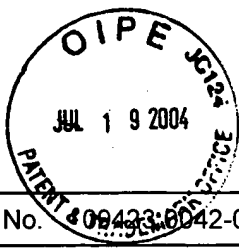
Dated: July 19, 2004



INFORMATION DISCLOSURE CITATION

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| Atty. Docket No. 09423.0042-02000    | Appln. No. 10/801,128 |
| Applicant Michael GRASSO III, et al. |                       |
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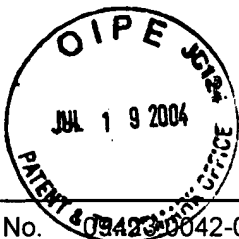
| U.S. PATENT DOCUMENTS |                 |            |                   |       |           |                            |
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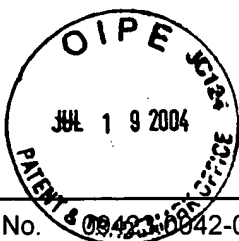
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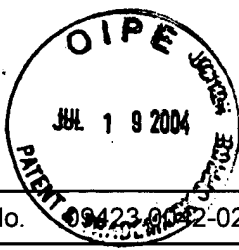
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| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |   |
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